

1894-014 Chancery Causes: Allen Stephenson & Co] vs W. C. Herndon & Co.
Lee Co.

Allen, Stephenson, Boyd, Stapleton, Woodward, Parsons

CA-Debt
T-Property

-Deed

To the Hon. H. S. K. Marrison, Judge of the
Circuit Court for La. County:

Humbly complying again astors John
M. Allen, Robt J. Stephenson & Mrs. S. P. Boyd
partners in Trade under the style & firm of
Allen, Stephenson, & Co. respectfully represents
unto your honor that at the special instance
and request of W. C. Menden a merchant
doing business there in the County of La.
your astors sold to him the said Menden
a quantity of goods, wares, & merchandise
amounting to the sum of \$33⁰⁰ on the
8th day of Nov. 1893. & which became due
& payable on the 8th day of December
1893. from which time your astors claim
interest; that at the direction of the
said W. C. Menden all of said goods
were shipped to Summerton Gop. in La.
the said Menden's name; that at
the time your astors sold said Menden
said goods the records in the
County Court Clerk's office showed
him & he represented himself to be the
owner of a large quantity of un-
incumbered land lying and
being in the County of La. & State of La. and
in the State & Probate & country,
land of which he, the said W. C. Menden
purshard from the heirs of Charles Summerton
Dead, John B. Summerton & Larkin Sum-
merton, Tobias Dagher & wife, and
John C. Stephenson & wife, and all of which

He was then in the possession of, using
and occupying as his own. Copies of
the deeds to the land which he, at the time
your order's debt was contracted, re-
mains being to be the owner of are here
filed, marked
and prayed to be considered as part
of this bill.

Your order will further show
unto your honor that a portion if
not all the said goods sold by your
order to the said Stender, together with
about 40 head of cattle, a waggon &
team, the goods in his store house at
the time & other goods purchased
about the same time he purchased
from your order from other wholesale
merchants were turned over to
his father Larkin Stender & his
brother John P. Stender on or about
the 10th day of Nov. 1893, who are now
in the possession of the same selling &
disposing of the same; that said transfer
of goods, cattle, a waggon & team & all that
was turned over to the said John P.
& Larkin Stender was without
a valuable consideration, or at least
a consideration anything like the
value thereof.

Your order will further show
unto your honor that the said sum
of money is still due unpaid & that

1
interest is due as aforesaid; that in
a day or two after said transfer of said
goods & chattels said W.C. Shumaker
obscured the title and is now a non
resident thereof; that to your astonish-
ment & surprise in Nov. 10th 1893 one
David P. Parnum deposited with the clerk
of the County Court for De County for rec-
ordation a deed signed by W.C. Shumaker
& his wife which conveyed to said
Parnum all of the said Shumaker's land
except the Stapleton tract & that tract
embraced in the conveyance of John B.
Dunington bearing date July 30th
1889, the consideration in said deed as
it is there expressed is \$5000.00 in hand
paid; that at the time your notary sold
said goods to said Shumaker & at no
time afterwards did they have any notice
or knowledge of the existence of the said
deed to said Parnum, until the same
was placed with the clerk for recordation;
that at any rate said deed was without any
consideration being paid down and was
made for the express purpose of hindering
delaying & defrauding said Shumaker's cred-
itors & especially in the collection of their
debts & especially that of your notary.

Your notary will further show
unto your honor that said W.C. Shumaker
made & acknowledged another ~~deed~~ giving
to one William Woodward a lien on all

his land except the land before conveyed
to ~~David~~ David Pearson and the said
Stoples tract of land, to secure to the
said Woodward the sum of \$675⁰⁰, which
line was traced with the proper clerk for
recording on the 10th day of Nov, 1893.
Your writers view this pretended line
is fraudulent, voluntary, & was made
for the express purpose of hindering, de-
basing & defrauding his creditors & is
therefore void, A. Copy of the same is
here filed marked "Line" & prayed to
be considered as part of this bill.

Your writers further represents
unto your honor that when the said
John C. Stoples & wife sold the said St-
ples tract to said Shumaker, a deed
line was returned for the purchase
money - but that the same has long
since been paid; that there are no
other lines upon the land of the said
W.C. Shumaker; that the rents & profits
will not in five years pay your
writers claim & the costs of this suit.

The writers therefore considered
your writers are advised they have
rights cognizable in a court of Equity;
that the said John P. Larkin Shumaker
will be compelled to account for all the
effects of the said W.C. Shumaker which
went into their hands; that said deed
to said Pearson & said Line in favor

of said Woodward will be declared null
void as to your the creditors of the
said Shumaker that had no notice of
the same at the time they made their
debts, and especially will it be void
as to your order.

The prayer therefore of your order
is that W. C. Shumaker, Larkin Shumaker,
John P. Shumaker, David P. Parran,

William Woodward, and John Calhoun
be made parties defendant to this bill of
complaint; that each be required to
answer its several allegations on
oath; that by virtue of the affidavit
here filed marked "Affidavit," made
pursuant to § 2944, of the Code of 1887 -
an attachment issue & be levied upon
the said W. C. Shumaker's effects &
the same be held until a further order
of this court; that the said John P.
Larkin Shumaker specially answer on
oath the true amount if any thing the
said W. C. Shumaker owed them; when &
where they got the money or other thing
which they let the said W. C. Shumaker
have whereby he became indebted
to him, the date of each item of indebted-
ness; the number & value of the said
cattle & horses & mules &c, & what they gave
therefor, an itemized statement of or
an invoice of all the goods & chattels
turned over to them or either of them,

by the said W.C. Skindou; that the
said David P. Pearson specially au-
swers an oath the true amount of any
thing he has paid on the land mentioned
in the deed of March 14, 1893, where, where,
& for whom he got the money or other
thing which he paid on said land, &
how much he still owes there; that
the said Wm Woodward specially au-
swers an oath the true amount of
any thing the said W.C. Skindou owed
him, & for what, where, where, & from
whom he got the money or other thing
which he lent the said Skindou how & why
he became indebted to him, where the
same became or will become due &
the date of the indebtedness; that a
final hearing of the cause & judge-
ment be given your voters for the
amount of this claim & their costs; that
the said debt, lien, & transfer of goods
& chattels be set aside & that enough
be set aside to satisfy your voters, claim
& the costs of this suit; & that an order of
publication be made for W.C. Skindou
as the law requires in such cases,
And that all further & general relief
be granted your voters on the nature
of their cause, ^{may} require; And your
voters will ever pray &c.

Summerton Bro.

J. G.

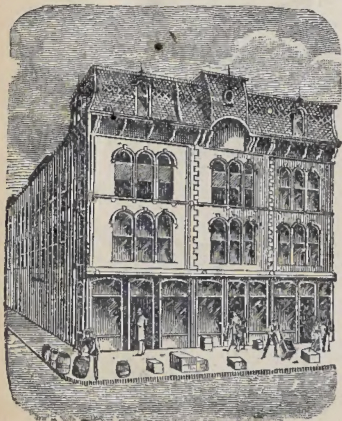
12 Dec 1894

Allen Stephenson & Co
 S.S. } Bill in Chancery
 W.C. Strickland & Co. Dft
 1894 1st Jan'y Rules Bill filed & pa 2nd for home
 Dfts ord Pub for non resident and D.N. for
 " home Dfts
 " 2nd Jan Rules & N. for home Dfts confd
 " 1st Feby Rules Dntd for Ord Pub
 " 2nd " " Ord Pub complet & set for hearing
 " June Term Decree & contd

C 8.94
 S 2.50
 W.M.P 2.50
 Printer 5.00
 Atty \$5.00
 \$33.74
 Clk 5.75
 \$39.69

~~Defts Costs~~
 Defts Costs
 @ \$1.60

Deacons & Sons P.S.



JOHN M. ALLEN,
ROBT. J. STEPHENSON, }
MRS. I. R. BOYD. }

1 Knoxville, Tenn., 12-14-1893

Mrs W C Herridon

BOUGHT OF ALLEN, STEPHENSON & CO.

(Successors to BOYD, ALLEN & Co.)

Wholesale and Retail Dealers in

FURNITURE * AND * CARPETS.

Chamber Suits, Parlor Suits, Dining Room Suits, Chairs, Spring Mattresses, Oil Cloths, Mat-
tings, Table Linens, Towels, Napkins, Blankets, Curtains, Sheetings, &c., and House Furnishing Dry Goods.

ORDERS CAREFULLY FILLED.

Interest Charged on All Bills After Maturity.

TERMS CASH.

109 AND 111 GAY STREET.

Nov 8	6 b S chairs Dr		4 50	
	6 b S " Lt		4 50	
	2 #54 wal Sleads	3 50	7 00	
	2 Supwvsprings	2 50	5 00	
	2 b S mattresses #2	3 50	7 00	
	2 Ex b S "	2 50	5 00	33 00

JNO. M. ALLEN,
ROBT. J. STEPHENSON, }
MRS. I. R. BOYD.

MONTHLY STATEMENT.

a 50' Knoxville, Tenn. Dec 8 1893
Mr H C Herndon
Cynthiana Va

In Account with ALLEN, STEPHENSON & CO.

(SUCCESSORS TO BOYD, ALLEN & CO.)

Furniture, Carpets and House Furnishing Dry Goods.

INTEREST CHARGED AFTER MATURITY.

Nov 8	To Mdse. bal. rend.	33 00	
	Notary Fee	50	
			33 50
	Allen Stephenson	and Co	

Above please find statement of your account, which we ask you to examine and compare with your books, so that any errors or discrepancies can be reported and corrected, should any occur. If due, we ask you to remit by the.....or we will draw on you at.....through.....

Respectfully,

ALLEN, STEPHENSON & CO.

STATE OF TENNESSEE, }
KNOX COUNTY, } to wit:

I, Isabau Bogardus a Notary Public in and for said County and
State, do certify that R. J. Stephenson this day made oath before me
that the foregoing account, amounting to \$ 33⁰⁰ is to the best of his knowledge
and belief, justly due and that he claims interest on the same from the 8th
day of December 18 93
Given under my hand this 8th day of December 18 93

Isabau Bogardus



To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate demurrer and answer of John P. Herndon to a bill in chancery exhibited against him and others in this honorable Court by John M. Allen, Robert J. Stephenson, Mrs. I. P. Boyd, partners trading under the firm name of Allen Stephenson & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c., And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him answering he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill exhibited ^{against him & others} in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co, all of which causes are still pending in this ~~the~~ honorable court, all have a common purpose with the bill of complainants all contain almost identically the same allegations except as to the amount claimed, and all are against ^{identically} the same persons. Respondent refers to said several answers and adopts them as a part of this his answer in this case and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c

James H. Hyatt, Jr.

Virginia, Lee County, to wit:

This day John P. Herndon personally appeared before me, A.B. Munsey, Clerk of the Circuit Court of the County and State aforesaid, and made oath that the foregoing answer so far as made on his own knowledge is true and so far as made upon the information of others he believes it to be true. Given under my hand this the 5th day of March 1894.

W.C.Herndon et als.

Ads. { Separate Demurrer and
{ Answer of John P.Hern-
{ don, one of the defend-
{ ants.

Allen Stephenson & Co.

Duncan & Hvatt, p.d.

*Filed in open court March 9th
1894 A.B. Munsey Clerk*

To the Honorable H.S.K. Morrison, Judge of the Circuit Court of Lee County, Virginia:

The separate demurrer and answer of Larkin Herndon to a bill in chancery exhibited against him and others in this honorable Court by John M. Allen, Robert J. Stephenson and Mrs. J. P. Boyd, partners trading under the firm name of Allen Stephenson & Co.

Respondent says that complainants' bill is not sufficient in law to call upon him to answer it in this honorable court, but that there is good cause of demurrer thereto, and he demurs accordingly, and prays judgement of his said demurrer &c. And not waiving said demurrer, but relying and insisting thereon, should other and further answer be required of him and ⁱⁿ answering he says:

That he has filed his separate answer to a bill in chancery exhibited against him and others in this court by Powers Little & Co., he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Cowan McClung & Co., and he has also filed his separate answer to another bill in chancery exhibited against him and others in this court by Berry Gilliam & Co., all of which causes are still pending in this honorable court, all have a common purpose with the bill of complainants, all contain almost identically the same allegations except as to the amount claimed, and all are against identically the same persons. Respondent refers to said answers and ~~as~~ adopts them as a part of this his answer in this case, and prays that they may be considered as such. And now having answered said bill as fully as he is advised it is material he should answer, respondent prays to be hence dismissed with his costs &c.

Virginia, Lee County, to wit:

This day Larkin Herndon personally appeared before me, A.B. Munsey, Clerk of the Circuit Court ~~of the County and State~~ of the County and State aforesaid, and made oath that the foregoing answer so far as made on his own knowledge is true and so far as made upon the information of others he believes it to be true. Given under my hand this the 5th day of March 1894.

A.B. Munsey Clerk

W.C. Herndon et als.

Ads. { Separate Demurrer and
{ Answer of Larkin Herndon,
{ one of the defendants.

Allen Stephenson & Co.

Duncan & Hvatt, p.d.

*Filed in open court March
The 9th 1894
A B Munsey Clerk*

Allen, Stephenson & Co.

vs.

In Chancery.

The depositions of

R. J. Stephenson

taken before me, C. B. Tompkins,

a notary public in and for the county of Knox, and State of Tennessee, pursuant to notice hereto annexed at the office of Henry. Fenton, ~~2157~~²¹⁵³ Gay street, in the city of Knoxville, in the said county and state on the 2nd day of February, 1894, between the hours of 7 A. M. and 8 P. M. of that day, to be read as evidence in behalf of the Allen, Stephenson & Co. in a certain suit in equity depending in the Circuit Court of Lee county, Virginia, wherein Wm. C. Herndon, John. P. Herndon, Larken Herndon, Wm. Woodward and David. P. Parsons are defendants, and said Allen, Stephenson & Co. is plaintiff.

Present

for defts'

for plaintiff

Ques. 1st Give your name, age, residence, and occupation.

Ans. I the witness R. J. Stephenson after being duly sworn deposes as follows, to wit:

Ques. 1st Give your name, age, residence and occupation?

Ans. R. J. Stephenson Knoxville Tenn 33 years Furniture & Carpets

Ques. 2nd What is your connection with the plaintiffs in this suit?

Ans. One of the firm and also look after the carrying of our Customers

Ques. 3 State whether the said W. C. Herndon is indebted to said plaintiffs in any sum or sums of money, if so for what, and when it did or will become due?

Ans. Thirty Three (\$33) Dollars ~~was~~ due Dec 8/93 as per statement attached marked (Invoices) -

Ques. 4. When said sales were made to said Herndon, did he or not make any representations as to his assets and liabilities if so what were they

Ans. He made no statement to me but I understood through others that he was good for any thing he wanted

Ques. 5. Did you or not at the time said sale was made to said Herndon, ~~at~~ prior thereto, have any knowledge of the due mentioned ⁱⁿ plaintiffs dated March 14th 1893, whereby said Herndon & wife conveyed a greater portion of his real estate to one David P. Parsons?

Ans. We had no notice of it we had no know of it until after Nov 10/93 if we had known of same would not have given him credit and further this document says not

R. J. Stephenson

Tennessee.

County of Knox. to wit

I C. B. Tompkins a notary public for the county of
Knox in the said state do hereby certify that the fore-going
depositions of *R. J. Stephenson*

were duly taken, sworn to, and subscribed before me at the time
and places and for the purpose therein mentioned.

Given under my hand and seal this *2nd* day of February 1894

C. B. Tompkins
Notary Public

Allen Stephenson & Co

of Depositions

W. C. Herndon et al

Received by mail in good
condition on Feb by the 11th
1874 and filed on the 5
of February 1874

A B Munay Clerk

Given under my hand and seal this 23rd day of February 1874
and placed and for the purposes therein mentioned.

were duly taken, sworn to, and subscribed before me at the time
depositions of

Knox in the said case do hereby certify that the foregoing

I O. B. Tompkins a notary public for the county of

Cornwall Knox. do wit

Tennessee.

Allen, Stephenson & Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

of February 22nd 1894 Take notice that on the 22nd day

253 Gay street in the City of Knoxville at the office of Henry Keaton at

County, State of Tennessee we will proceed to take the deposition of J. H. Stephenson
and others

to be read as evidence on behalf of

Allen Stephenson & Co

in a certain suit in Equity now pending in the Circuit Court of Lee
County, State of Virginia wherein said Allen Stephenson & Co
Plaintiff and you and each of you are Defendants And if from any
cause the taking of said depositions are not begun on that day, or being begun not complete, the same will be
continued from day to day or from time to time and if desired from place to place, until the same are complete. You
may attend and cross-examine if you wish.

January 4 1894

Very Respectfully

Allen Stephenson & Co

per Pennington Bros.

Allen, Stephen
vs } notice to take
depositions

H. C. Herndon et al

Executed by delivering
on the 12th day of Jan. 1894
a copy of the within notice
to each Parker Herndon
John P. Herndon, James P.
Parsons, John C. Stapleton
& Mrs. Woodward, but not
executed on H. C. Herndon

V^o. in County, to wit

The foregoing return
of H^{on} W. D. Cunningham was
this day sworn to by him
his duty solemnly affirmed.
Given under my hand
this 13th Jan. 1894

E. H. Cunningham
Notary Public

Allen, Stephenson & Co

AGAINST

W. C. Herndon et al

To W. C. Herndon. Larkin Herndon. John P. Herndon Wm Woodward

David P. Parsons and John C. Stapleton

Take notice that on the 2nd day

of February 1894

at the office of Norris Hinton at

County, State of Virginia I will proceed to take the deposition of Allen Stephenson

to be read as evidence on behalf of

Allen Stephenson & Co

in a certain suit in Equity now pending in the Circuit Court of Lee
County, State of Virginia wherein said Allen, Stephenson & Co are
Plaintiff and you and each of you are Defendants And if from any
cause the taking of said deposition is not begun on that day, or being begun not complete, the same will be
continued from day to day or from time to time and if desired from place to place, until the same are complete. You
may attend and cross-examine if you wish.

Jan 4th 1894

Very Respectfully,

Allen Stephenson & Co

Wm C. Shelden



JOHN M. ALLEN,
ROBT. J. STEPHENSON,
MRS. I. R. BOYD.

(Moore)
Knoxville, Tenn., Jan 30 1894
Messrs W B Herndon

BOUGHT OF ALLEN, STEPHENSON & CO.

(Successors to BOYD, ALLEN & Co.)

Wholesale and Retail Dealers in

FURNITURE * AND * CARPETS,

Chamber Suits, Parlor Suits, Dining Room Suits, Chairs, Spring Mattresses, Oil Cloths, Mat-
tings, Table Linens, Towels, Napkins, Blankets, Curtains, Sheetings, &c., and House Furnishing Dry Goods.

ORDERS CAREFULLY FILLED.

Interest Charged on All Bills After Maturity.

TERMS CASH.

109 AND 111 GAY STREET.

To 10 days

Nov 8	6 6 chairs Drk		4 50	
	6 6s " Lt		4 50	
	2 #54 Wal Steady	3 50	7 00	
	2 Supnewsprings	2 50	5 00	
	2 #2 67 Mattresses	3 50	7 00	
	2 Ex 67 "	2 50	5 00	33 00

ally the land hereby conveyed . Witness the following sig-
nature and seal the said day and year first written .

11111111 ~~11111111~~ 11111111 (11111111)

Chloroceryle alcyon (Linn.)

6666 "Lupinus", variety of 18, on 110:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 84

James M. Smith, 1880.

1891-1892 : - *Herpy*

Teste S. V. F. & Co. Secy

71

Virginia Lee County - to wit
By the office of the Clerk of the said County
the 16th day of Nov 1893 the said was presented and together with
the certificate thereto annexed, admitted to record at Richmond, Va.

This deed made this the 10th day of Nov 1893 by and between
J. F. Garrison of the first part and William Woodward of the
second part both of the County of Lee and State of Virginia.
The parts of the first part both grant unto the part of the
second part a tract or parcel of land bounded as follows,
beginning at a certain ~~point~~ ^{place} of head creek running
with a line to the top of stone mountain thence with
the line thence to the top of stone mountain thence with
the line of Powell's River and with measurements there-
of the same being. This deed of trust is to have and
hold unto the part of the second part for the use of
the first part and seven, five dollars and the part of the
first part shall be a trust the part of the first part and
the same shall be paid and more unto the part of the first
part until the notes is satisfied in full. Witness the
following signatures and seal
J. F. Garrison (seal)
Virginia Lee County to wit:

I, J. F. Garrison a Justice of the peace of said County, in the said
County of Lee, do hereby certify that the above is a true and
correct copy of the original of the deed of trust made on the 10th day of Nov 1893 this day person
J. F. Garrison in my County of Lee and acknowledged the
same to be his act and deed given under his hand and seal this
the 10th day of Nov 1893. J. F. Garrison J.P.

Virginia Lee County to wit :-
This day J. F. Garrison personally appeared before me and
made oath that he had copied the foregoing deed from the rec-
ords of the County of Lee County on file in
the Clerk's office of the said County, and that the same is a
true transcript of the said record. This Feb ____ 1894.

____ J.P.

A copy - Test: D. W. Richmond Clerk

Deed Book No. 25 ,page 106.

THIS DEED of conveyance made this the 5th day of February 1890 by and Between Tobias Hughs and Martha Hughs and P Pegg Parsons of the first part and all of the county of Lee and state of Virginia and William C. Herndon ^{of the second part} of the county and state ~~of~~ aforesaid . Witnesseth that for and in consideration of the sum of eight hundred Dollars in hand paid the ~~of~~ receipt of ~~of~~ which is hereby acknowledged the parties of the first part do ~~do~~ bargain sell ~~of~~ and convey unto the parties of the second part a certain tract or parcel of land lying and being in the county of Lee and State of Virginia situated on Reeds Creek waters of the north Fork of Powels River being two hundred acres be the same more or less and bounded as follows to wit: being the land where ^{Said} Tobias Hughs now lives and adjoining the land of Samuel Parsons , James Quillen and Mathew Zion and the parties of the second part to have and to hold forever . and the parties of the first part the land hereby conveyed . Witness the following signature and seal the day and date above written .

^{his}
Tobias F. Hughs (seal)

^{Martha}
Martha Hughs (seal)

^{Margaret}
Margaret R . Parsons (seal)

State of Virginia :

County of Lee

I, F. M. Parsons a justice of the peace for the aforesaid county do certify that Tobias Hughs and Martha Hughs His wife and Peggie Parsons ^{quitting} whose names are signed to the foregoing deed date on the 5th day of February 1890 acknowledged the same before me in my county and state aforesaid to be their act and deed and does not wish to retract it .

Given under my hand this the 5th day of February 1890

F.M.Parsons J.P.

Virginia Lee county ,to wit: In the office of the clerk
of the said county May the 6th 1890 this deed was presented
and with the certificate thereto annexed admitted to record .

Test John R.Gibson clerk .

Virginia Lee County to wit: *Copy*
Test: J. H. Richardson
Personally appeared before me *E. W. Pennington* a notary pub-
lic in and for the county and state aforesaid ,R.L.Pennington
and made oath that he had copied the foregoing deed from
the records of the county & court of Lee county on file in
clerks office of the said county court , and that the same
is a true transcript therefrom .Sworn before me this the ____
day of Feb. 1894.

N.P.

A.C. Henderson

From { Copy of Deed
Tobias Houghton's wife
For fee copy \$5.00

N.P.

day of Feb. 1894.
is a true transcript therefrom. Shown before me this the
clerk's office of the said county court, and that the same
the records of the county & court of Lee county on file in
and made oath that he had copied the foregoing deed from
file in and for the county and state aforesaid. R.L. Pennington
Personally appeared before me R.W. Pennington a Notary pub-
Virginia Lee County no wit:

Test John R. Gibson clerk.

and with the certificate thereto annexed admitted to record.
of the said county May the 6th 1890 this deed was presented
Virginia Lee county, no wit: In the office of the clerk

R.W. Parsons J.P.

Given under my hand this the 6th day of February 1890

Deed Book No 23 , page 534 .

This deed made this the 15th day of Oct 1884 by and between John B. Pennington and Larkin Herndon of the County of Lee and State of Virginia of one part and William C. Herndon of the county and state aforesaid of the other part

Witnesseth that for and in consideration of the sum of \$450.00 in hand paid the receipt of which is hereby acknowledged , the said John B. Pennington and Larkin Herndon do grant bargain and sell unto the said William C. Herndon a certain tract or parcel of land lyine and being on the county of Lee and State of Virginia Being a part of the John McCradie 14,050 acre survey which was partitioned by commissioners among the heirs of Edward Pennington Decd this being a portion of the lot assigned to John Pennington Sr and by him by deed to John Pennington Jr and Larkin Herndon said land is lying in lower Craborchard and between the North Fork of Powels River and Jones Creek and Reeds Creek bounded as follows to wit Beginning beginning at a poplar on the east bank of Reeds creek corner to Charley Pennington Decd land near the ford of said creek and with said creek southwardly 90 poles to its mouth on the north bank of the North fork of Powels River thence eastwardly with the meanderings thereof to a stake the original line and with with said line N 38 W to a gum 2 chestnuts and a spanish oak corner to A. Baileys land and with lines of same N 34 W 28 poles to a white oak and thence north 5 W 42 poles to 3 white oaks thence north west with Parkers line to Jones creek and with said creek to Charles Pennington Decd lines and with his line to the beginning supposed to contain 3 to 4 hundred acres be it the same more or less And the said John B. Pennington and Larkin Herndon do covenant with the said

1
William C .Herndon that they will warrant geneally the the
land hearby conveyed .Witness the Following signature and seals

John.B.P~~W~~ennington(seal)

Larkin Herndon (seal)

I John A.G .Hyatt a commissioner in chancery for Lee county
court the same being a court of Record do certify that John
B Pennington and Larkin Herndon whose names are signed to
th foreging bearing date on the 15th day of Oct 1884 , per-
sonally appeared before me in my~~x~~ countya fore said and each
acknowledged the sand to be their ~~p~~ act and deed for the pur-
pose therein stated . Given/ under my hand this the 5th day
of Jan 1885

J.A.G.Hyatt Com r &c

Virginia Lee county court clerks offic March the 4th 1889 the
foregoing dee bearing daten Oct the 1th 1884 between John
B.Pennington and Larkin Herndon of the one part and William
C.Herndon of the othe~~s~~ part abl of Lee counrt Va . was this
day ~~presented~~ filed in this office and admitted to record up-
on the certificate of J.A.G.Hyatt Com r for Lee county Va.

Test ,J.R.Gibson clerk.

Virginia Lee county to wit:

(A copy) Testi: *S. V. McHenry*
This day R.L.Pennington personally appeared before me , ano-
tary public in and for the county and state aforesaid and made
oath that he had copied the foregoing deede~~s~~ from the records
of the county court of the said county , and that~~p~~ the same
is a true transcript therefrom . This the ____ day of Feb.
1894.

N.P.

Deed Book No. 20 page 101

This deed of conveyance made this the 18th day of March 1880 by and between John C. Pennington and Patience Pennington his wife and Martha J. Robins and Mary A. Robins of the county of Lee and state of Virginia and Green E. Pennington and Susan his wife of the county of Perry and state of Kentucky

of the first part and William C. Herndon ^{of the second part} *of the second part* of the county of Lee and state of Virginia witnesses

that for and in consideration of the sum of \$200.00 Dollars in hand paid the receipt of which is hereby acknowledged the parties of the first part do hereby grant, bargain, sell and convey unto the parties of the second part all of their right and title in the Charles Pennington tract of land lying and being in the county of Lee and state of Virginia on the waters of Jones Creek and bounded as follows to-wit: Beginning at a hick and a white oak on the east bank of Jones Creek thence southerly to a poplar thence *Eastwardly oak* to a white oak

on the top of a ridge thence northerly to a white oak on a

flint thence northerly to a wagon road and then said road

run westerly to a hick *near* the mouth of the first hollow

near the bank of Jones Creek and with said creek to the mouth

of said creek to Joseph Harmons corner thence westerly with

said Harmons line to the Charles Pennington and with said

line to the beginning the parties of the first part do ver-

ify and generally the land hereby conveyed the parties of the

second part do have and do hold forever. witness as follow-

ing signature and date this the 18th day of March 1880

John C. Pennington (sell)

Patience Pennington (seal)

Martha J. Robins (seal)

Dinah Pennington (seal)

Green B. Pennington (seal)

Mary A. Robins (seal)

State of Virginia County of Lee do wit :

I, W.M. Parsons a justice of the peace for the aforesaid county and state do certify that John C. Pennington and Patience Pennington his wife Martha J. Robins and Dinah Pennington whose names are signed to the foregoing deed bearing date on the 15th day of March 1880, acknowledged the same in my county and state aforesaid to be their act and deed and does not wish to retract it. Given under my hand and seal on the day & date first above written.

W.M. Parsons J.P.

State of Kentucky County of Perry

I, Ira J. Davidson clerk of the county court for and county and state aforesaid do certify that the foregoing deed of conveyance from John C. Pennington was presented to me in my county aforesaid and acknowledged before me by Green B. Pennington and Susan his wife to be their act and deed and the same is certified to the proper office for record Given under my hand this the 15th day of March 1880

Ira J. Davidson Clerk

By G. E. Cornett N.C.

State of Virginia Le county do wit :

I, W.M. Parsons, justice of the peace for the aforesaid county and state do certify that Mary A. Robins whose name is signed to the foregoing deed bearing date on the 15th day of /

March 1890 acknowledged the same before me in my county and
state aforesaid to be her act and deed and does not wish to
retract it. Given under my hand the 7th day of April 1890

W.M. Parsons J.P.

Virginia Lee County to wit :

In the office of the clerk of the said county this
deed was presented and with the certificates thereto annexed /
was admitted to record. Teste John H. Gibson Clerk.

Virginia Lee County to wit :

This day H.I. Pennington personally appeared before me a notary
public in and for the county and state / aforesaid and made
oath that he had copied the foregoing deed from the records of
county court of the county on file in the clerk's office of
said county court, and that the same is a true transcript from
the said records as he verily / believes. Given under my
hand this the ____ day of Feb. 1895.

H.I.

H. C. Munroe

From { Copy of
John C. Peckham

For Copy \$0.75

1
1
Deed Book No 20 page 112. This deed made this Nov. 9th 1889
by and between M.C. Parsons of the first part and X Charles
Bennison of the second part both of the county of Lee and state
of Virginia. Witnesseth that the party of the first part
with intent therein said and conveyed unto X the party of the second
part his undivided interest in X Charles Penn n son
now deceased, estate that he bought of Anderson Robins and
wife heirs of deceased Charles Bennington Sen for the sum
of one hundred dollars in hand paid the receipt of which
is hereto annexed, and also said M.C. Parsons binds himself
to warrant the land hereby conveyed with all of its appurte-
nances forever. Witness my hand and seal this day and year
first mentioned M.C. Parsons (seal.)
Virginia Lee County to wit

I, V.H. Kelly notary public for the aforesaid county do
to certify that the M.C. Parsons whose name is written to the
above deed bearing date Dec. 9th 1889, personally appeared before
me in my county aforesaid and acknowledged his signature to X
this deed to be correct for the purpose mentioned in the abov
deed. Given under my hand this Nov. 9th 1889

V.H. Kelly N.P.

Virginia Lee County to wit: In the office of the clerk of the
said county May the 20th 1894, this deed was presented and
with the certification annexed and is hereby

Just John A. Gibson, clerk
Virginia Lee County
this day personally appeared J. W. Richards
notary public in and for the county aforesaid. R.L. Pennin-
ton and made oath that the foregoing copy is a true transcript
of the record on file in the county court clerk's office.
Sworn before me this 20th 1894

J.P.

A.C. Shindler

From Copy of Seed

M. le Parrana

The far Copy #0.23.

Deed Book No. 22 Page 103 .

THIS DEED made this the 20th day of July 1860 between
John R. Pennington of the ~~first~~ ^{Benjamin Herndon one} part and William C. Herndon of
the ~~second~~ part J. Pennington now a resident of Jackson
County Tennessee and the other named parties of Lee County
Virginia. Witnesseth that in consideration of the sum of
\$50.00 fifty dollars in hand paid the receipt of which is
herby acknowledged the said John R. Pennington and in return
do grant bargain and sell unto the said / William C. Herndon
a certain tract or parcel of land lying and being in the county
of Lee state of Virginia to have the following part of a ~~part~~
tract of land assigned to John Pennington Sr. by James
Kilgore it being a part of the ~~11/11/11/11~~ No Grange sur-
vey bounded as follows to wit: BEGINNING at the mouth of Jones
creek crossing the North Fork of Powell river southwardly
up the north side of Stone Mountain with partition line to
the top of said mountain thence westerly with the top of ~~the~~
same with the various meanders thereof to the ~~the~~ ^{beginning} Grange line
and along line thereof northwardly to the North Fork of Powell
river thence westerly with the meander and varied meanderings
thereof to the beginning. And the aforesaid John R. Pennington
and Edwin Herndon do covenant and agree with with the said
William C. Herndon to warrant generally the land herein con-
veyed with all of its appurtenances. Witnesseth following sig-
natures and seals. Then making of Lutes not under seal
by the boundary on the 20th day of July 1860

John R. Pennington (seal)

Edwin Herndon (seal)

Virginia Lee County to wit:

1. John A. D. Hyatt clerk for the circuit court for
Lee County. State aforesaid do hereby certify that John R.
~~Pennington~~

Pennington and Larkin Horton were sworn in and signed to
the foregoing deed bearing date on the 17th July 1850 each
personally appeared before me and acknowledged the same to be
their act and deed for the purposes therein stated.
Given under my hand this 17th Sept 1850

J. A. G. Hyatt Clerk

Virginia Lee County to wit ✓:

In the office of the clerk of the said county May the 5th 1850
this deed was presented and read and the contents thereof were
advised to record.

Test John R. Gibson Clerk.

Virginia Lee County to wit ✓:

This day A. L. Ferrin personally appeared before me

Acify Test: J. V. H. Richmond
clerk

a notary public in and for the county, and do hereby
and make oath that he has copied the foregoing deed from
the records of the county court of Lee County on file in
the said county court clerk's office, and that the same is
a true and correct copy from the said records.

Witness my hand and seal the ____ day of Sep. 1850.

H. P.

H. C. Hudson

From } Due &
John B. Pennington & Co
New York

For copy. \$0.50
New York

From J.C. Stapleton & wife

THIS DEED made this the 7th day of March 1857, between John C. Stapleton and Almeda L. Stapleton his wife of the first part and W. Craig Herndon of the second part all of the county of Lee, State of Virginia. WITNESSETH that in consideration of the sum of Two Hundred Dollars in hand paid and secured to be paid by the party of the second part to the party of the first part the receipt of which is hereby acknowledged, the said party of the first part by these presents do give, sell, deliver and convey unto the party of the second part a certain tract or parcel of land lying and being in said County of Lee and on Jones Creek in the Crab-orchard containing by estimation three and a half acres or the more or less bounded as follows: BEGINNING on the 1st pole line 20 poles from White oaks and beeches on the north side of a branch at a White oak. S 88° 30' E 30 poles to a red oak on the top of a ridge and with said ridge S 30° W 30 poles to a pine and chestnut on the top of a high pine. W 30° E 15 poles to a little pine and chestnut. N 75° W 15 poles to a white chestnut oak S 30° W 1/2° 30 poles to a sour wood hickory and two dead spanish oaks, (now gone) N 41° W 30 poles to a chestnut at the top of a deep hollow. N 60° E 30 to the beginning. To have and hold the said tract of land with all of its appurtenances unto the party of the second part and his heirs forever. And the party of the first part covenant that they will warrant generally the title to the land hereby conveyed. And the party of the first part hereby reserve to themselves the vendor's lien on said land until the purchase money therefor is fully paid. Witness the following signature and seal,

John C. Stapleton (seal)
Almeda Stapleton (seal)

Virginia, Lee County -- do wit :

I John A.G. Hyatt, com'r in chg. for & C do certify that John C. Scapleton, whose name is signed to the foregoing deed dated March the 7th 1867 personally appeared before me in the said county and acknowledged said writing to his use and deed. Given under my hand this the 7th day of March 1867.

J.A.G. Hyatt, com'r &c.

Virginia, Lee County, do wit : I John A.G. Hyatt commissioner in chancery for Lee County, do certify that Almada Scapleton wife of John C. Scapleton whose names are signed to the foregoing deed dated March the 7th 1867 personally appeared before me in the County aforesaid and being examined by me privily and apart from her husband & having the deed fully explained to her she declared she had willingly signed and executed the same and did not wish to retract the same. Given under my hand as usual this the 20th day of August/A~~X~~ 1868.

John A.G. Hyatt, Com in ch

Chancery for Lee County, Court

Virginia Lee County Court Clerk's Office, Feb. 7th 1868

The foregoing deed bearing date March the 7th 1867 betw between John C. Scapleton and Almada his wife of the first part and W.C. Jordan of the second part all of Lee County Va. was this day filed in the clerk's office and admitted to record upon the foregoing certificate of John A. Hyatt A comm in in chancery for Lee County Court.

Test John R. Gibson, Clerk

& Copy-Teste: J. V. H. Richmond
Clerk

H. C. Stinson

From } Deed-
John C. Stinson

Fee for Copy \$1.00

...of the ...
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Allen Stephens & Co
vs. } the Chancery
H. C. Henderson et al

Copies of Duds.

~~To~~

H. Henderson

From -

John C. Pennington et al
John B. Pennington et al
Larkin Henderson et al
John C. Stopleton wife
Johnas Hughes & wife
Rebecca J. Robins et al
M. C. Parram

From

H. C. Henderson

To.

David P. Parram
William Hoolwood

Copied

For far Copy

\$ 4.50

In the Clerk's Office of the Circuit Court of the County of
Lee on the *1st* day of *January* 1894.

Allen Stephenson & Co
against

Plaintiff

In Chancery

W. C. Herndon et al Defendant

The object of this suit is to ~~is to~~ set aside and annul the deed of *W. C. Herndon* + wife *David P. Parsons* dated *March 14th 1893*; 2nd to set aside and declare void the deed made by *W. C. Herndon* + wife to *Mr. Woodward* dated *Novr the 10th 1893*; 3rd to annul the transfer of goods + chattels made by *W. C. Herndon* to *John P. Larkin Herndon* on or about *Novr the 10th 1893*; and 4th that a judgment be given in favor of the Plffs against the Defendants for the amount mentioned in the bill ~~And an affidavit having been made and filed that the defendant~~ *W. C. Herndon* is

not a resident of the State of Virginia, it is ordered that *he* do appear here, within *fifteen days* after due publication hereof, and do what may be necessary to protect *his* interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the *Lee County Republican* and that a copy be posted at the front door of the court-house of this *County* on the first day of the next term of the *County* Court.

A copy—Teste:

Pennington Bros p. q.

A. B. Munsey Clerk.

Allen Stipenson & co

vs.

}

ORDER OF
PUBLICATION.

W. L. Herndon et al

I, A. B. Munsey Clerk of the
Circuit Court do certify that
it delivered to the Lee County
Republican the within order
on the 1st day of January 1894
for Publication, and posted
a copy thereof at the front door
of the Court house at the
January Term 1894 of the
County Court

A. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*W. C. Herndon, John P. Herndon
Larkin Herndon, John C. Stapleton, William Woodward
and David P. Parsons*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *1st* Monday in *January*, 189*4* to answer a bill in Chancery,

exhibited against *them* in our said court by *John M. Allen
Robert J. Stephenson and Mrs. J. R. Boyd partners
in trade under the style & firm of Allen Stephenson & Co.*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *19th* day of *December* 189*3*, and in the *11* *8* year of the Commonwealth.

A B Munsey Clerk.

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon: All of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-163.

At B Murray Clerk

Allen Stephenson

vs.

**SUBPENA
IN CHANCERY.**

W. C. Herndon et al

Pennington Bros p. q.

To *1st January* 1894 Rules,

Circuit Court.

Executed Dec, 23 1888 by a living an office copy of the with a subpoena in chancery and attachment to John P. Herndon, Larkin Herndon, John C. Stapleton, Wm. Woodard and David P. Parsons and not executed as to W. C. Herndon also by attaching on the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va. in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 38 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Joseph Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No. 25.-163.

W. C. Herndon, Atty.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *W. L. Herndon, John P. Herndon,
Larkin Herndon, John L. Stapleton, William Woodward
and David P. Parsons*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *15th* Monday in *January*, 189*4*, to answer a bill in Chancery, exhibited against *them* in our said court by *John M. Allen, Robert J. Stephenson and Mrs. J. R. Boyd partners in Trade under the Style & firm of Allen Stephenson & Co*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *19th* day of *December* 189*3*, and in the 11 *8th* year of the Commonwealth.

A Copy Teste

A. B. Munsey Clerk.

A. B. Munsey Clerk

The proper affidavit having been made and filed the officer executing this summons is directed to attach the following real estate of W. C. Herndon, all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit:

Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks, thence N. with Parker's line to Jones creek, and with said creek to Josepa Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed Book No 25.-168.

Attest Mary Clerk

us.

**SUBPÆNA
IN CHANCERY.**

p. q.

To..... Rules,

Circuit Court.

Executed Dec., 1893 by delivering an office copy of the within subpoena in chancery and attaching it to John P. Herndon, Larken Herndon, John C. Stapleton, Wm. Woodward and David P. Parsons and not executed as to W. C. Herndon also by attaching to the following real estate of W. C. Herndon described as follows: all of which lies in Lee Co., Va., in the Craborchard consisting of two tracts, the first of which is now in the hands of David P. Parsons and bounded as follows to wit: Beginning at a stake on the North bank of the North Fork of Powell's river at the mouth of Reed's creek; thence eastwardly with the meanderings of the said river to the McCradia line, thence N. 33 W. --- po to a gum 2 chestnuts and a spanish oak corner to A. J. Bailey's land, and with lines of same N. 24 W. 28 po, to a White oak and Chestnut, thence N. 35 W. 42 po, to 3 White oaks thence N. with Parker's line to Jones creek, and with said creek to Josepa Marcum's corner, thence Southwardly with said Marcum line to A. K. DeBusk's corner, thence with his several lines and corners to Alfred Johnson's land formerly Samuel Parson's land, thence with lines and corner of said Parson tract to James Quillen's land, thence with his lines and corner to Mathew Zion land, thence with his lines and corner to Lawsons land thence with his lines and corner to the beginning. The 2nd of which tracts is now in the hands of Wm. Woodard, and embraces that land described in deed of July 20th 1889 of Larkin Herndon and John B. Pennington to said W. C. Herndon and which is recorded in Deed No 25.-168.

In the clerks office of the circuit court
of the county of Lee on the 1st day of
January 1894.

Allen Stephenson & Co Plffs

against

W. C. Herndon et al Deft

In Chan'y.

The object of this suit is to 1st to set
aside and annul the deed of W. C. Herndon
and wife to David P. Parsons dated
March 14th 1893; 2nd to set aside and de-
clare void the deed made by W. C. Herndon
and wife to Wm. Woodard, dated
Nov'r 10th 1893. 3rd to annul the trans-
fer of goods and chattels made by W. C.
Herndon to John F. and Larkin Herndon
on or about Nov'r 10th 1893; and 4th
that a judgment be given in favor of the
plffs against the deft for the amount men-
tioned in the bill and the same to be sat-
isfied out of the said property thereby
conveyed.

And an affidavit having been made
and filed that the defendant W. C. Herndon
is not a resident of the State of Virginia
it is ordered that he do appear
here within fifteen days after due publi-
cation hereof and do what may be nec-
essary to protect his interest in this suit.
And it is further ordered that a copy
hereof be published once a week for four
weeks in the Lee County Republican
and that a copy be posted at the front
door of the court house of this county
on the first day of the next term of the
county court. A copy—Teste:

A. B. Munsey, Clerk.

Pennington Bros, p q

5-10

I, W. P. Dryden & Sons pub

isher of the LEE COUNTY REPUBLICAN
a weekly newspaper, published in the
town of Jonesville, county of Lee, and
State of Virginia, do hereby certify that
the foregoing Order of Publication was
duly published in the above named pa-
per for four successive weeks, ending the
1st day of Feb 1894.

for Sam L. Dryden
Publisher, LEE COUNTY REPUBLICAN